

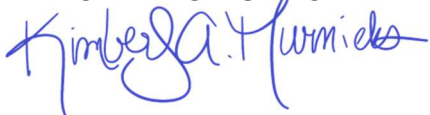


Mike DeWine, Governor
Jon Husted, Lt. Governor

Office of Budget and Management

Kimberly Murnieks, Director

TELEWORKING POLICY

APPOINTING AUTHORITY APPROVAL 	EFFECTIVE DATE December 30, 2022
--	---

1.1 Purpose

The purpose of this policy is to provide a teleworking program to maximize operational efficiency and provide municipal income tax withholding procedures for eligible Office of Budget and Management (OBM) employees who are permitted to work from a designated alternate work location. As part of teleworking permitted by this policy, OBM continues to maintain an adequate, in-office presence during core business hours. This policy contains guidance and standards to (1) designate an alternate work location, as defined in this policy; (2) to perform assigned duties from an alternate work location; and (3) accurately record hours worked in the KRONOS timekeeping system.

1.2 Authority

Department of Administrative Services (DAS) Policy HR-11 (Public Safety Emergency)
DAS Policy HR-25 (Municipal Income Tax Withholding)
DAS Policy HR-32 (Teleworking)
DAS Policy IT-04 (Use of Internet, E-mail and Other IT Resources)
OBM Ethics Policy
OBM Travel Policy

1.3 Scope

This policy is applicable to all eligible OBM permanent full-time and part-time employees, unless conflicting provisions exist within the collective bargaining agreement applicable to bargaining unit employees, in which case the provisions of the collective bargaining agreement control. Part-time temporary employees, such as College Interns or intermittent employees, may be eligible for teleworking based on operational need. Teleworking is a management option and not a right or benefit that an employee can expect or demand.

1.4 Definitions

“Alternate work location” A work site at which the employee physically works other than the primary work location, which may include an employee's home, private facility, non-OBM state facility, mobile work site or customer site that has been approved by the Human Resources Director or the Deputy Director of Operations as a suitable place to conduct OBM business. For example, an employee with a hybrid telework arrangement

who works 60% of her/his time at Location A and 40% at location B would have an alternate work location of Location B. Employees that only work from one location do not have an alternate work location.

“Primary work location” The location at which the employee physically spends the greatest number of days in a calendar year performing services for or on behalf of the appointing authority. For example, an employee with a hybrid telework arrangement who works 60% of her/his time at Location A and 40% at location B would have a primary work location of Location A. Every employee has a primary work location.

“Teleworking” A flexible work arrangement that involves designating an alternate workplace as the employee’s work site. Employees who are routinely assigned to work at an alternate location to complete their regular job duties (i.e., Internal Auditors who conduct audits at client locations and the Financial Planning and Supervision Commission member(s) who participates in meetings in various counties) are not considered to be teleworking while at the alternate location.

“Teleworking Agreement” An agreement between the teleworking employee and OBM which contains the agreed upon terms and conditions of the teleworking arrangement.

1.5 Schedules

Teleworking is a management option and is not a universal employee benefit. Each division may allow teleworking in the following general categories:

Hybrid: An employee will split their time consistently between the alternate work location and the office. This schedule will be clearly documented on the teleworking agreement. For example, the employee reports to the office Mon/Tues and works at the alternate work site Wed/Thurs/Fri (or some other combination of days shared between the office and alternate work location).

Situational: An uncommon situation arises when teleworking allows an employee the flexibility to request, in advance, to work from an alternate work location and still complete their assigned duties. An uncommon situation may include, but is not limited to building/floor closure, declared public safety emergency, pandemic, or transitional work after an injury.

1.6 Eligibility

To be eligible for teleworking, an employee’s classification must be identified by the Human Resources Director or Deputy Director of Operations, in consultation with the

employee's supervisor as a classification where the essential job functions can be fulfilled in a teleworking environment while maintaining both the operations of the agency and service to internal and external customers. Employees may submit a request for review of a non-identified classification to the Human Resources Director.

Employees must have a signed Teleworking Agreement in place prior to any work being completed from an alternate work location. The teleworking agreement will clearly identify the alternate work site, schedule, duties to be performed, and methods of tracking/evaluating work performance.

Teleworking agreements may be entered for periods of up to one year and shall identify teleworking expectations for all of an employee's working hours. The agency is committed to maintaining an in-office presence during core business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. Teleworking agreements should consider cross-section in-office days to encourage collaboration.

At the end of the agreement's period, teleworking agreements may be renewed upon the approval of the employee's assigned supervisor, Division Deputy Director, and Human Resources Director or Deputy Director of Operations.

Human Resources will retain an original copy of the executed agreement in the employee's personnel file.

Other factors to consider when determining eligibility:

- a. New employees often require additional support to aide in learning their new duties and may not be good candidates for teleworking. Each section should require that new employees complete a training period defined by their supervisor in the office prior to teleworking at an alternate work location.
- b. Employees with active discipline related to poor work performance may not be good candidates for teleworking.
- c. Teleworking must not be used as a substitute for obtaining regular dependent care.

1.7 Procedures

1.7.1 Approval Procedure

- a. All teleworking agreements must be approved by the employee's supervisor, the Human Resources Director or Deputy Director of Operations, and the

employee's assigned Division Deputy Director. Teleworking agreements for eligible employees shall be approved or disapproved on an individual basis according to the eligibility criteria identified in section 1.6 of this policy.

- b. Teleworking arrangements that are not intended to be ongoing and will last a total of 5 calendar days or fewer and arrangements necessitated by the activation of the agency business continuity plan only require documentation confirming the written approval (i.e., an email or other writing) of the assigned Deputy Director.
- c. IT related incidents that require work outside of normal business hours only require approval (either verbal or written) from the Chief Information Officer.
- d. Teleworking arrangements expected to last more than 5 calendar days require the completion of an approved teleworking agreement.

1.7.2 Teleworking Terms and Conditions of Employment

- a. A teleworker's duties, obligations, responsibilities, and conditions of employment with the State will be unaffected by teleworking.
- b. The supervisor will be responsible for monitoring teleworker activity for accuracy of time reporting to ensure scheduled hours are worked and the work plan is followed. Each employee will grant access to his or her calendar for supervisor and/or team review.
- c. All employees will be responsible for keeping their Outlook calendar up to date with meetings, time off, and assigned space reserved for days/times scheduled in the office.
 - i. A job aide for using Outlook can be found on OBM@Work > Policies and Documents > Agency Resources > Information Technology – "Outlook Room Scheduling Guide".
- d. All employees will be responsible for recording hours worked, location worked (as applicable), and requests for leave in the KRONOS timekeeping system. Additional methods of tracking work performance may be implemented by the division and will be clearly communicated in the teleworking agreement.
- e. All work hours, overtime compensation and leave usage will comply with the applicable provisions of the collective bargaining agreement, Ohio Revised Code (ORC), Ohio Administrative Code (OAC) or OBM policy. A teleworker

may earn overtime or compensatory time in accordance with the State of Ohio or OBM policy while participating in a teleworking agreement.

- f. An employee authorized to travel must comply with the OBM Travel Policy Guidelines and applicable collective bargaining agreements.
- g. A teleworkers rate of pay, retirement benefits and health insurance coverage are not affected by the teleworking agreement.
- h. The teleworker and the teleworker's supervisor shall be required to follow any applicable policies regarding the reporting of injuries for the employee injured while at work.
- i. Any deviations or changes to the alternate work location identified in the teleworking agreement must be approved by the Human Resources Director or Deputy Director of Operations prior to work being performed at a different location. The employee is responsible for ensuring the alternate work location has adequate internet capabilities (minimum 30 megabytes per second download speed for a single device) and security necessary to perform the assigned work tasks.
- j. OBM's policies and procedures regarding confidentiality of information and security of state information technology equipment and documents applicable at the state office must be maintained at the alternate work location. Employees shall protect all data and extreme care shall be taken regarding sensitive data and/or personally identifiable information.
- k. A teleworker who is scheduled to work at an alternate work location on a day that a declared public safety emergency happens may be required to work at a different location based on the needs of the agency and any applicable collective bargaining agreement.
- l. A teleworker may not perform any duties associated with outside employment (as defined in OBM's Ethics Policy 1.5) or other non-work activities during scheduled working hours. This prohibition includes the use of any state equipment, software, online computer systems or supplies to perform any duties associated with the outside employment.
- m. OBM shall provide and/or approve the equipment, supplies, network connectivity, and software that are necessary for the teleworker to conduct OBM business while at the alternative work location. General office supplies shall be provided by OBM. OBM is not under any obligation to reimburse a

teleworker for any out-of-pocket expenses for supplies. Teleworkers are responsible for securing equipment, data, hard copy documents and files in accordance with OBM and statewide policies.

- n. In the event of equipment and/or system failure that prevents the performance of assigned duties, the teleworker shall notify his/her supervisor immediately. Based on circumstances, the employee may be permitted to use leave if possible or may be required to report to the office until the equipment or system failure can be remedied.
- o. The teleworker is liable for any damage to or loss of state-owned equipment provided under the teleworking program due to some fault of the employee. It is the teleworker's duty to promptly report to his/her supervisor and the OBM Helpdesk of any damage to or loss of State equipment in the employee's possession.
- p. Teleworking shall not serve as a substitute for dependent care. During scheduled working hours, teleworkers shall utilize accrued leave to care for all dependents (adult and minors).
- q. In the event of termination or resignation from employment with the State of Ohio, the teleworker is required to promptly return any state-owned assets including but not limited to equipment, supplies and data.
- r. When an employee participates as a speaker, presenter, or facilitator of any kind during a presentation/webinar of any kind that includes non-OBM employees, customers, or constituents, the employee is expected to conduct the presentation/webinar from the office to ensure technical connectivity and professional support.
- s. Supervisors are expected to monitor employee leave utilization while teleworking; a pattern of leave utilization to avoid in-office days may subject an approved teleworking agreement to revocation.

1.7.3 KRONOS Timekeeping and Municipal Income Tax Withholding

An employee must submit the Municipal Income Tax Withholding Form, or OBM's equivalent form, to Human Resources. The form must be accurate and complete. Whenever an employee's circumstances change in such a manner that the information previously provided by the employee is no longer accurate or complete, the employee must promptly submit an updated form to the payroll department.

a. Recording Work Location

- i. All employees using KRONOS or OAKS are assigned a primary work location for municipal income tax purposes.
- ii. It is the responsibility of the employee to accurately record the location in which they work each day and ensure tax designations are properly applied.

b. Tax Withholding Based on Work Location

- i. In general, an employee's wages may be subject to municipal income taxes based on where the employee worked to earn those wages and/or where the employee resides.
- ii. Municipal income taxes will be withheld using the primary work location unless the employee selects an alternate work location when recording time.
- iii. Employees are solely responsible for making any applicable tax filings, including residential income tax filings, and paying any taxes or seeking any refunds that may be necessitated based on the actual hours worked at each work location.
- iv. If an employee is unsure how to identify the proper taxing locality, they can confirm the locality listed on prior pay stubs or contact OBM Human Resources.
- v. OBM will not advise on the tax implications associated with this policy for an employee. For questions on how to handle an individual's situation, employees should consult with a tax professional.

1.8 Adjustments/Revocation of Teleworking Agreements

Temporary or short-term adjustments to a teleworking agreement for the purpose of meeting operational need will be communicated as soon as possible. In limited, unforeseen circumstances, less than 24 hours' notice may be given requiring an employee to report to the office the next day.

Permanent adjustments to an existing teleworking agreement will be communicated at least 14 days in advance.



Mike DeWine, Governor
Jon Husted, Lt. Governor

Office of Budget and Management

Kimberly Murnieks, Director

Teleworking Policy

Teleworking agreements are revocable at any time, at the discretion of the Director, Human Resources Director, Deputy Director of Operations and/or the employee's assigned Division Deputy Director. The revocation of a teleworking agreement shall not be considered a form of discipline.

1.9 Prohibitions

At all relevant times, an employee must comply with OBM's existing policies and procedures. Failure to comply with these policies, including the Teleworking Agreement, may subject the employee to discipline, up to and including removal.

1.10 Contact

The Human Resources Director is available for consultation or questions regarding this policy.

This policy supersedes any previously issued directive or policy and will remain effective until cancelled or superseded.

1.11 Revision History

Date	Description of Change
05/03/2010	Initial policy issued
7/16/2012	Policy revisions issued
10/4/2019	Policy revisions issued
9/25/2020	Policy revisions issued
06/16/2021	Policy revisions issued
07/01/2022	Policy revisions issued
12/30/2022	Policy revisions issued